

ENGINEER'S REPORT

Prepared for the

CITY OF SAN DIEGO

**Gateway Center East
Maintenance Assessment District**

Annual Update for Fiscal Year 2004

under the provisions of the

**San Diego Maintenance Assessment District Ordinance
of the San Diego Municipal Code**

and

**Landscape and Lighting Act of 1972
of the California Streets and Highways Code**

Prepared by

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May 2003

CITY OF SAN DIEGO

Mayor

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City Council Members

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District 1

Brian Maienschein
District 5

Michael Zucchet
District 2

Donna Frye
District 6

Toni Atkins
District 3

Jim Madaffer
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City Attorney

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City Clerk

Charles G. Abdelnour

City Engineer

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Boyle Engineering Corporation

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Engineer's Report Gateway Center East Maintenance Assessment District

Preamble

Pursuant to the provisions of the "San Diego Maintenance Assessment District Ordinance" (being Division 2, Article 5, Chapter VI beginning at Section 65.0201 of the San Diego Municipal Code), provisions of the "Landscape and Lighting Act of 1972" (being Part 2 of Division 15 of the California Streets and Highways Code), applicable provisions of "Proposition 218" (being Article XIID of the California Constitution), and provisions of the "Proposition 218 Omnibus Implementation Act" (being California Senate Bill 919) (the aforementioned provisions are hereinafter referred to collectively as "Assessment Law"), in connection with the proceedings for the GATEWAY CENTER EAST MAINTENANCE ASSESSMENT DISTRICT (hereinafter referred to as "District"), BOYLE ENGINEERING CORPORATION, as Assessment Engineer to the City of San Diego for these proceedings, submits herewith this report for the District as required by California Streets and Highways Code Section 22565.

FINAL APPROVAL, BY RESOLUTION NO. _____ ,
ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAN
DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, ON THE
_____ DAY OF _____, 2003.

Charles G. Abdelnour, CITY CLERK
CITY OF SAN DIEGO
STATE OF CALIFORNIA

Executive Summary

Project: Gateway Center East
Maintenance Assessment District

Apportionment Method: Equivalent Benefit Unit (EBU)

	FY 2003	FY 2004 ⁽¹⁾	Maximum ⁽²⁾ Authorized
Total Parcels Assessed:	16	16	--
Total Estimated Assessment:	\$147,884	\$147,884	--
Total Number of EBUs:	569.75	569.75	--
Assessment per EBU:	\$259.56	\$259.56	\$259.56

⁽¹⁾ FY 2004 is the City's Fiscal Year 2004, which begins July 1, 2003 and ends June 30, 2004. Total Parcels Assessed and Total Estimated Assessment may vary from prior fiscal year values due to parcel changes and/or land use re-classifications.

⁽²⁾ Maximum Authorized annual amounts subject to cost indexing provisions set forth in this Engineers Report.

Proposition 218 Compliance: The District was re-engineered in Fiscal Year 1998 for compliance with Proposition 218. By a ballot proceeding, majority property owners (77.53% of the weighted vote) approved Fiscal Year 1998 assessments, maximum authorized assessments for subsequent years, and provisions for annual cost indexing.

Annual Cost Indexing: An increase of assessments, under authority of annual cost indexing provisions, is not required for Fiscal Year 2004.

Bonds: No bonds will be issued in connection with this District.

Background

The Gateway Center East Maintenance Assessment District (District) was originally established in May 1987 under the provisions of the San Diego Maintenance Assessment District Ordinance. The District encompasses the Gateway Center East Industrial Park.

The general purpose of the District was and still is to provide for the maintenance of landscaped open space easements on the slopes facing I-15 and SR 94, landscaped and hardscaped medians and landscaped parkways along the lot frontages within the Gateway Center East Industrial Park.

The Park was developed in 1987 by the Southeast Economic Development Corporation as Map 11512. The project included 22 industrial lots which were sold to private entities. A public park was developed within the subdivision boundary as a condition of approval and granted to the City of San Diego (City).

The District was re-engineered in Fiscal Year 1998 for compliance with Proposition 218. By a mail ballot proceeding, property owners approved the re-engineering with 77.53% of weighted votes supporting the proposed assessments. Over 94.7% of property owners responded to the mail ballot.

The Engineer's Report, preliminarily accepted by Resolution Number R-288796 on June 8, 1997, proposed Fiscal Year 1998 assessments, maximum authorized assessments for subsequent years, and provisions for annual cost indexing of the maximum authorized assessments. The Engineer's Report was approved and assessments confirmed by Resolution Number R-289038 on August 5, 1997.

District Proceedings for Fiscal Year 2004

This District is authorized and administered under the provisions of the "San Diego Maintenance Assessment District Ordinance" (being Division 2, Article 5, Chapter VI beginning at Section 65.0201 of the San Diego Municipal Code), provisions of the "Landscape and Lighting Act of 1972" (being Part 2 of Division 15 of the California Streets and Highways Code), applicable provisions of "Proposition 218" (being Article XIID of the California Constitution), and

provisions of the "Proposition 218 Omnibus Implementation Act" (being California Senate Bill 919) (the aforementioned provisions are hereinafter referred to collectively as "Assessment Law"). This report has been prepared in compliance with Assessment Law.

The purpose of the proposed proceedings and this Engineer's Report is to update the District budget and assessments for Fiscal Year 2004. The Fiscal Year 2004 assessments proposed within this Engineer's Report do not represent an increase over those assessments previously approved by property owners. Therefore, the requirements of Section 4 of Article XIID do not apply to these proceedings.

A public hearing will be scheduled where public testimony will be heard by the Council, and the Council may, at its discretion, adopt a resolution ordering the levying of the proposed assessments.

Bond Declaration

No bonds will be issued in connection with this District.

District Boundary

The District encompasses all of the Gateway Center East Industrial Park. The Boundary Map & Assessment Diagram for the District are on file in the Maintenance Assessment Districts section of the Park and Recreation Department of the City of San Diego and by reference are made a part of this report. The Boundary Map and Assessment Diagram for the District are available for public inspection during normal business hours. A reduced copy of the Boundary Map is included as Exhibit A hereto.

Project Description

The project is the maintenance of approximately 406,000 square feet of landscaped open space slopes, 7,800 square feet of landscaped medians, 8,100 square feet of paved medians and 242,700 square feet of right of way landscaping. Maintenance activities include daily litter control and weekly sweeping.

The engineering drawings for these improvements (drawing number is D-22060) are on file at Map Records in the City Engineer's office and are incorporated herein. The specifications for the maintenance to be

performed are contained in City Contract No. C4899/96, which is incorporated herein by reference and is on file with the City Clerk and the Park and Recreation Department. The specifications for the maintenance are available for public inspection during normal business hours.

Separation of General and Special Benefits

Consistent with City policy for the public at large, the City will provide the District with annual contributions from the Gas Tax Fund for median maintenance (18.0¢ per square foot of landscaped median and 1.3¢ per square foot of hardscaped median) and from the Environmental Growth Fund for open space maintenance (\$26.63 per acre). These cost allocations are considered to be “general benefit” administered by the District. All other maintenance, operations, and administration costs associated with the District, which exceed the City’s contribution to the public at large, are accordingly considered to be “special benefit” funded by the District.

Cost Estimate

Estimated Costs

Estimated Fiscal Year 2004 annual expenses, revenues, reserves, and assessments (provided by the City) are included as Exhibit B hereto.

Annual Cost Indexing

With the passage of Proposition 218, any proposed increase in assessments must be placed for approval before the property owners by a mail ballot and a public hearing process, similar to these proceedings. A majority of ballots received must be affirmative for the City Council to confirm and levy the increased assessments. For small assessment districts or districts with relatively low dollar assessments, the cost of an engineer’s report, balloting, and the public hearing process can potentially exceed the total cost of the increase. These incidental costs of the proceedings can be added to the assessments, resulting in even higher assessments.

Indexing assessments annually to the San Diego Consumer Price Index for Urban Consumers (SDCPI-U), as approved by the District property owners in Fiscal Year 1998, allows for minor increases for normal

maintenance and operating cost escalation without incurring the costs of the Proposition 218 ballot proceedings. Any significant change in the assessment initiated by an increase in service provided or other significant changes to the District would still require the Proposition 218 proceedings and property owner approval.

The maximum authorized assessment established in the Fiscal Year 1998 proceedings are authorized to be indexed (increased or decreased) annually by the factor published in the SDCPI-U. Fiscal Year 1999 was the first year authorized for such indexing. However, it has been determined that an increase of assessments, as authorized by the cost indexing provisions, is not required for Fiscal Year 2004.

Method of Apportionment

Estimated Benefit of the Improvements

Construction of the improvements within the district was funded by the developer. The maintenance for these enhanced assets, since installation, has been funded through the District. The General Plan also supports the establishment of community landscape improvement and maintenance districts, such as this District, to serve these maintenance needs.

Street Right-of-Ways and Medians

The Gateway Center East Landscape Maintenance District is relatively small. All of the streets within the Industrial Park and the frontage on Market Street are maintained by the District. Market Street serves as the primary access route in and out of the industrial park and the other streets provide circulation through the park and thus serve all parcels within the District. All parcels benefit from the enhancement of these streets and the enhanced community image provided by the improvements being maintained by this District.

The Transportation Element of the City's General Plan and the General Policy Recommendations found in the Southeast San Diego Planned District Ordinance establish several goals for the community's streets. The improvements being maintained by this District are consistent with the Plans' goals for safety and pleasing aesthetics. The maintenance for these enhanced assets, since

installation, has been funded through the District. The General Plan also supports the establishment of community landscape improvement and maintenance districts, such as this District, to accomplish these goals.

Apportionment Methodology

The total cost for maintenance of the improvements funded by the District will be assessed to the various parcels in proportion to the estimated Equivalent Benefit Units (EBUs) assigned a parcel in relationship to the total EBUs of all the parcels in the District.

EBUs are a function of two factors, a Land Use Factor, and Benefit Factor, related as shown in the following equation:

$\text{EBUs} = (\text{Acres or Units}) \times \text{Land Use Factor} \times \text{Benefit Factor}$
--

Each of these factors are discussed below.

Land Use Factor

Since the improvements to be maintained or provided by the District are primarily associated with the Transportation Element of the General and Community Plans, trip generation rates for various land use categories (as previously established by the City's Transportation Planning Section) have been used as the primary basis for the development of Land Use Factors. While these trip generation rates strictly address only vehicular trips, they are also considered to approximately reflect relative trip generation for other modes of transportation (e.g., pedestrian trips, bicycle trips, etc.), and are considered the best available information for these other transportation modes.

The special benefits of landscape improvements maintained or provided by the District are linked to trip generation primarily by the public safety and aesthetic enhancement enjoyed by travelers through the community. Thus, trip generation rates provide the required nexus and basis for assigning ratios of maximum potential benefit to the various land use/zoning classifications as defined by the City's Municipal Code.

Land use/zoning classifications have been grouped with averaged trip

generation rates assigned to establish the Land Use Factors as shown in Table 1.

TABLE 1: Land Use Factors

Land Use/Zoning	Code	Land Use Factor
Residential – Single Family (detached)	SFD	1.0 per dwelling unit
Industrial	IND	15.0 per acre
Park – Developed	PKD	5.0 per acre

Benefit Factor

The Land Use Factor described above reflects the relative intensity of use (or potential use) of the various parcels of land to be assessed. It does not address the relationship of this use to the specific improvements to be provided or maintained by the District. This relationship is reflected in the Benefit Factor utilized in the assessment methodology.

In determining the Benefit Factor for each land use category, the subcomponents of the benefits of District improvements considered may include some or all of the following: public safety, view corridors and aesthetics, enhancement of community identity, drainage corridors, and recreational potential. As Benefit Factors and their subcomponents are intended to reflect the particular relationships between specific land uses within a district and the specific improvements maintained or provided by the district, Benefit Factors will generally vary from one district to another, based on the specific details of the applicable land uses and improvements provided.

The applicable benefit subcomponents and resultant composite Benefit Factors determined for the various Land Use/Zoning categories within this District are as shown in Table 2.

TABLE 2: Benefit Factors by Land Use

Land Use/Zoning	Public Safety (max. 0.2)	Aesthetics (max. 0.8)	Composite Benefit Factor (max. 1.0)
Industrial	0.2	0.8	1.0
Park – Developed	0.2	0	0.2

Public Safety

All land uses are considered to receive the maximum available benefit from the public safety element of District improvements. Public safety is essential to all land uses, and even to lands, such as designated Open Space, held in stewardship with only incidental human use.

Aesthetics

The degree of benefit received from the aesthetic qualities of landscaped roadway medians and rights-of-way maintained or provided by the District varies among land use categories. Generally, by nature of their use, residential lands receive the greatest benefit from the reduced traffic congestion, reduced noise levels, greater separation from traffic and generally more tranquil environment provided by open spaces and landscaped roadway medians and rights-of-way. Industrial, commercial and institutional uses, on the other hand, often thrive on higher densities, greater traffic access, and a higher level of activity in the vicinity of their enterprises. These uses, accordingly, receive a lesser degree of benefit from the general insulation and separation provided by the aesthetic elements of District improvements.

Lands in the Park categories are considered to receive no significant benefit from the aesthetic elements of District improvements, as enhanced aesthetic quality of other lands in their vicinity does not affect their function, use, or value.

Equivalent Benefit Units (EBUs)

As described above, the number of Equivalent Benefit Units (EBUs) assigned to each parcel in the District has been calculated, based on the preceding factors, as follows:

$\text{EBUs} = (\text{Acres or Units}) \times \text{Land Use Factor} \times \text{Benefit Factor}$
--

Based on the above formula, the EBUs calculated for each property, can be found in the Assessment Roll (Exhibit C). The EBUs for each property owner, which resulted from using the EBU formula and various factors described above, are contained in the Assessment Roll.

Summary Results

The District Boundary is presented in Exhibit A.

An estimate of the costs of the improvements provided by the District is included as Exhibit B to this report.

The assessment methodology utilized is as described in the text of this report. Based on this methodology, the EBUs and Fiscal Year 2004 District assessment for each parcel were calculated and are shown in the Assessment Roll (Exhibit C).

Each lot or parcel of land within the District has been identified by unique County Assessor's Parcel Number on the Assessment Roll and the Boundary Map and Assessment Diagram referenced herein. The net assessment for each parcel for Fiscal Year 2004 can be found on the Assessment Roll.

This report has been prepared and respectfully submitted by:

BOYLE ENGINEERING CORPORATION

Eugene F. Shank, PE

C 52792

Alex Bucher, EIT

CA 112628

I, _____, as CITY CLERK of the CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, do hereby certify that the Assessment as shown on the Assessment Roll, together with the Assessment Diagram, both of which are incorporated into this report, were filed in my office on the _____ day of _____, 2003.

Charles G. Abdelnour, CITY CLERK
CITY OF SAN DIEGO
STATE OF CALIFORNIA

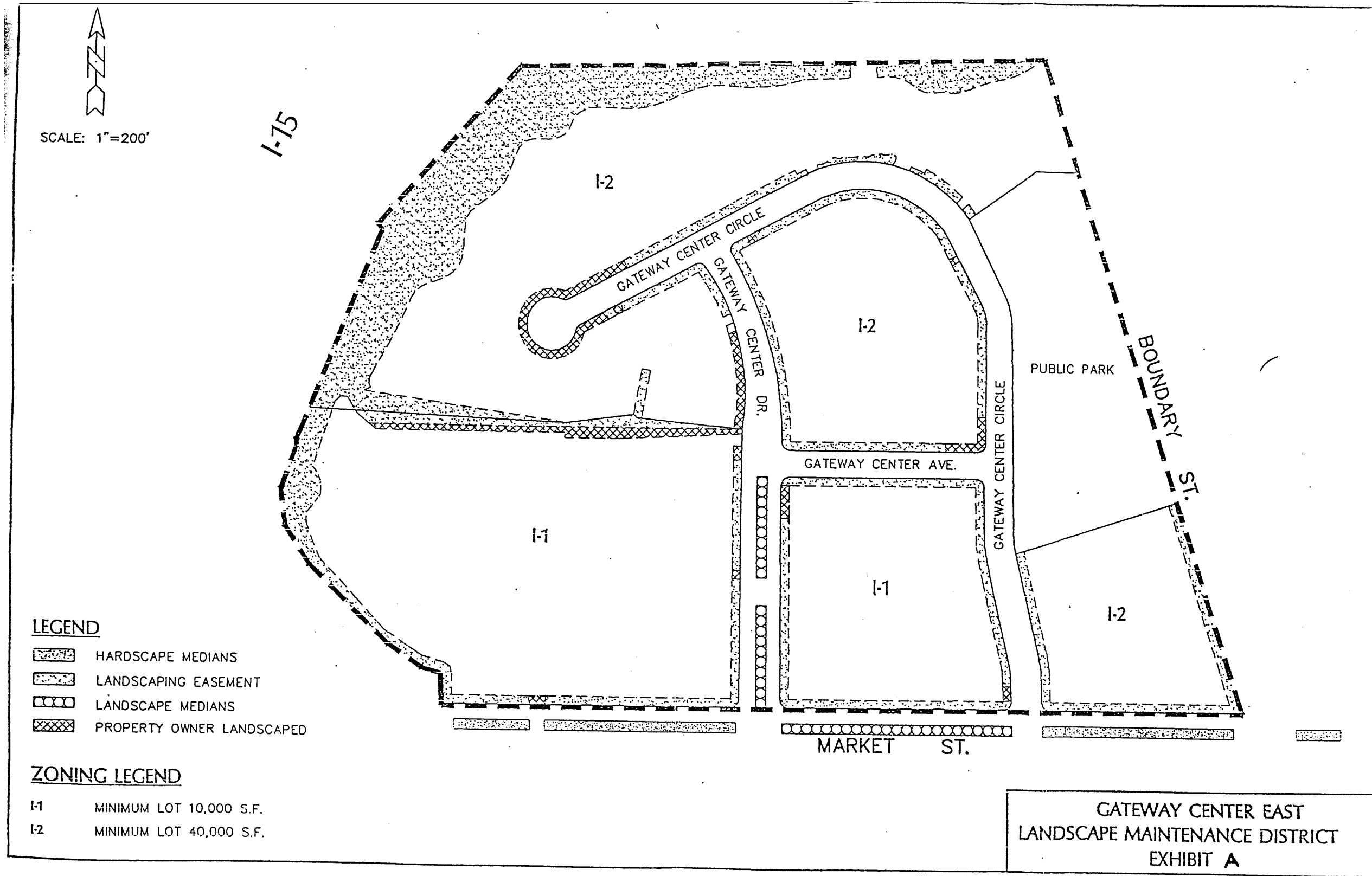
I, _____, as CITY CLERK of the CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, do hereby certify that the foregoing Assessment, together with the assessment diagram incorporated into this report, was approved and confirmed by the CITY COUNCIL of said City on the _____ day of _____, 2003.

Charles G. Abdelnour, CITY CLERK
CITY OF SAN DIEGO
STATE OF CALIFORNIA

I, _____, as SUPERINTENDENT OF STREETS of the CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, do hereby certify that the foregoing Assessment, together with the assessment diagram was recorded in my office on the _____ day of _____, 2003.

SUPERINTENDENT OF STREETS
CITY OF SAN DIEGO
STATE OF CALIFORNIA

EXHIBIT A



**GATEWAY CENTER EAST
Maintenance Assessment District**

EXHIBIT B

Maintenance Assessment Districts

Council District: 4
Fund: 70231

Gateway Center East

Gateway Center East Maintenance Assessment District			
	FY 2002 ACTUAL	FY 2003 BUDGET	FY 2004 PROPOSED
Positions	0.20	0.20	0.20
Personnel Expense	\$ 13,140	\$ 15,021	\$ 15,056
Non-Personnel Expense	125,140	228,285	235,283
TOTAL	\$ 138,280	\$ 243,306	\$ 250,339

The Gateway Center East Maintenance Assessment District (District) was established in May 1987 to provide maintenance of landscaped open space easements as well as landscaping along the frontage of all lots and for landscaped medians on Market Street and Gateway Center Drive. The District maintains approximately 406,000 sq. ft. of open space slopes, 7,800 sq. ft. of landscaped medians and 8,100 sq. ft. of paved medians and 242,700 sq. ft. of rights-of-way landscaping.

The Fiscal Year 2004 Proposed Budget is based on current maintenance costs and was approved by the Gateway Center Oversight Committee on March 19, 2003.

GATEWAY CENTER EAST	FY 2003 ESTIMATE	FY 2004 PROPOSED
BALANCE	\$ 108,919	\$ 96,987
Revenue		
Assessments	\$ 147,883	\$ 147,884
Interest	3,725	3,711
Gas Tax Contributions	1,509 ⁽¹⁾	1,509 ⁽¹⁾
Environmental Growth Fund	-	248 ⁽²⁾
TOTAL OPERATING REVENUE	\$ 153,117	\$ 153,352
TOTAL REVENUE AND BALANCE	\$ 262,036	\$ 250,339
Expense		
Personnel	\$ 15,011	\$ 15,056
Contractual	95,000	90,000
Incidental	21,728	22,653
Utilities	33,310	35,370
Contingency Reserve	-	87,260
TOTAL EXPENSE	\$ 165,049	\$ 250,339
BALANCE	\$ 96,987	\$ -
Assessment per EBU: ⁽³⁾	\$ 569.56	\$ 569.56

⁽¹⁾ In Fiscal Year 2003, the City contributed general benefit of \$1,404 from Gas Tax for maintenance of 7,800 sq. ft. of landscaped medians at \$0.18 per sq. ft. and \$105 for maintenance of 8,100 sq. ft. of hardscaped medians at \$0.013 per sq. ft. In Fiscal Year 2004, the City will contribute general benefit of \$1,404 from Gas Tax for maintenance of 7,800 sq. ft. of landscaped medians at \$0.18 per sq. ft. and \$105 for maintenance of 8,100 sq. ft. of hardscaped medians at \$0.013 per sq. ft.

⁽²⁾ In Fiscal Year 2004, the City will contribute general benefit of \$248 from the Environmental Growth Fund for maintenance of 9.32 acres of open space at \$26.63 per acre.

⁽³⁾ The District contains a total of 569.75 Equivalent Benefit Units (EBUs).

EXHIBIT C

Due to the size of the Assessment Roll (Exhibit C), only limited copies are available. Please contact the City of San Diego, Park & Recreation Department, Open Space Division, Maintenance Assessment Districts Program at (619) 685-1350 to review the Assessment Roll.